

REMARKS

Claims 1-58 are pending in this Application.

Claims 4, 5, 15-17, and 23-58 have been withdrawn from consideration.

Claims 1-3, 6-14, 18-20, and 22 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Iwasaki (U.S. Patent No. 5,497,215) in view of Hirt (U.S. Patent No. 5,883,830). Claim 21 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Iwasaki in view of Hirt and Akashi (U.S. Patent No. 5,615,399).

In this preliminary amendment, claims 2 and 14, which were formerly dependent claims, have been written in independent format. Applicants have requested cancellation of claims 1 and 12, and have amended dependent claims 3, 6, 9, 10, and 20-22 so that these claims do not depend from the cancelled claims. No new matter has been entered by these amendments.

Applicants also take this opportunity to respond to the rejections set forth in the Office Action of June 15, 2004. Applicants respectfully maintain that claims 2,3, 6-11, 13-14, 18-20, and 21-22, which are presented herein for examination, are not obvious over Iwasaki in view of Hirt, because these references, alone or in combination, fail to teach, disclose, or suggest all of Applicants' claim elements. See MPEP §2143. For example, these references fail to teach, disclose or suggest "control means for controlling charge accumulation of [a] photoelectric conversion means on the basis of...control information," where the "control information" is stored in "rewritable memory", as recited in Applicants' independent claims 2 and 14, and the their corresponding dependent claims. For at least this reason, the rejection of the claims 2,3, 6-11, 13-14, 18-20, and 22 should be withdrawn. As Akashi does not appear to cure the deficiencies of Hirt and Iwasaki, the rejection of claim 21 should be withdrawn as well.

Moreover, Applicants respectfully maintain that while Hirt recites “configuration information”, such configuration information is not the same as Applicants’ “control information” as recited in independent claims 2 and 14 and the corresponding dependent claims. For example, in Applicants’ claim 2, such “control information” is stored in “a plurality of storage means” and forms the basis for the “control means” to control “charge accumulation of [the] photoelectric conversion means.”

In contrast, Hirt merely states the following with respect to “configuration values”:

For example, portions of memory 14 may be employed for storing configuration values perhaps directed towards particular applications. For example, if the integrated circuit is intended for use within a video camera, then certain configuration values useful in such an application are stored within the flash memory. On the other hand, if the integrated circuit is intended for use within a medical imaging device, then alternative configuration values are stored. As can be appreciated, a wide range of values may be flash programmed to facilitate a wide range of applications. In FIG. 1, a portion of flash memory 14, identified by reference numeral 24, stores such configuration values. [Hirt, col. 6, lines 2-12].

Applicants do not see any teaching, express or otherwise, that Hirts’ “configuration means” can be used in connection with a “control means” to control “charge accumulation of [a] photoelectric conversion means” as recited in Applicants’ independent claims 2, or that Hirts’ “configuration means” can be used in a “control step” as recited in Applicants’ independent claim 14. Applicants respectfully assert that neither Iwasaki or Akashi alleviate the deficiencies of Hirt. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims under 35 U.S.C. §103(a).

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

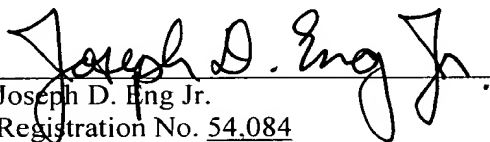
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-4478. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4478. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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Dated: September 15, 2004

By: _____


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